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16
17 IN THE UNITED STATES DISTRICT COURT
18 FOR THE NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20
21 **STATE OF MICHIGAN, STATE OF**
22 **CALIFORNIA, et al.,**

23 Plaintiffs,

24 v.

25 **ELISABETH D. DEVOS, in her official**
26 **capacity as the United States Secretary of**
27 **Education, and UNITED STATES**
28 **DEPARTMENT OF EDUCATION,**

29 Defendants.

30 Case No. 3:20-cv-04478-JD

31 **PLAINTIFFS' RENOTICE OF MOTION**
32 **FOR PRELIMINARY INJUNCTION**

33 Date: September 3, 2020
34 Time: 10:00 AM
35 Judge: Hon. James Donato
36 Trial Date: None set
37 Action Filed: July 7, 2020

RENOTICE OF MOTION FOR PRELIMINARY INJUNCTION

2 PLEASE TAKE NOTICE that Plaintiffs hereby move the Court under Federal Rule of Civil
3 Procedure 65 for entry of a preliminary injunction prohibiting Defendants from imposing or
4 enforcing an equitable services requirement under Section 18005 of the Coronavirus Aid, Relief, and
5 Economic Security Act (CARES Act or Act) in a manner not wholly and explicitly described by
6 Section 1117 of the Elementary and Secondary Education Act of 1965 (ESEA). This motion is based
7 on this Re-Notice of Motion, the previously filed Notice of Motion and Motion (ECF No. 35), the
8 Memorandum of Points and Authorities (ECF No. 35), the accompanying declarations (ECF No. 35-
9 2) and Request for Judicial Notice (RJN) (ECF No. 35-3), as well as the papers, evidence and
10 records on file, and any other written or oral evidence or arguments as may be presented.

11 The hearing has been reset for September 3rd, 2020 at 10am before the Honorable Judge
12 James Donato in the United States District for the Northern District of California. Plaintiffs and
13 Defendants will file a joint stipulation to request a change to this hearing date immediately.

14 || Dated: July 29, 2020

Respectfully Submitted,

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